TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

February 9, 2004 LB 906

because a grandfather provision, whether wise or unwise, has always been like a net that enclosed everybody who, after a certain date, is going to be regulated. Anybody within that net as of a certain date does not have to comply with the law as far as getting into the profession. But once the law takes effect, every rule, regulation, and standard imposed on the profession is imposed on them. So the grandfathering does not exempt them from regulation. It simply exempts them from the entry requirements. Thank you, Mr. President.

PRESIDENT HEINEMAN: Thank you, Senator Chambers. Mr. Clerk.

CLERK: Mr. President, Senator Chambers would move to amend Senator Stuhr's bill. (FA1455, Legislative Journal page 570.)

PRESIDENT HEINEMAN: The Chair would recognize Senator Chambers, to open on his amendment.

SENATOR CHAMBERS: Mr. President, members of the Legislature, it has been said, and I have even said it on occasion, that good minds run in similar channels, tread similar paths. And I don't know what I would say about Senator Bourne and I looking at this same provision and finding a problem with it. I know I have a I know that intermittently Senator Bourne has manifested signs and twitches that indicate a good mind may be on the premises inside of his skull, if that's where the mind lives or dwells, but on this particular item he is 100 percent correct, in my opinion. If this were the apple placed on the top of William Tell's son's head, Tell's arrow would go right through the heart of the apple and not touch the child. believe this provision is like an apple sitting on top of this The apple on the child's head is not a part of the child. is not essential to the existence of the child. The child's definition does not include an apple atop the head. provision does not go to the standards that a person must meet once this bill take effect. It does not go to the requirements that must be met in order to become a practitioner of this trade, craft, or profession, whatever it turns out to be. It is like the apple which is distinct from and apart from that on which it rests. If we remove this language, we have not done anything, as far as I can see, that hinders the purpose of this